

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA, *et al.*,

Plaintiff,

v.

ELECTRON HYDRO, LLC,

Defendant.

CASE NO. C20-1746-JCC

ORDER

This matter comes before the Court on Citizens for a Health Bay and Puget Soundkeeper Alliance's (the "Conservation Groups") unopposed motion to intervene (Dkt. No. 24). Having thoroughly considered the parties' briefing and the relevant record, the Court hereby GRANTS the motion for the reasons explained herein.

The Conservation Groups have an unconditional right to intervene pursuant to the Clean Water Act, 33 U.S.C. § 1365(b)(1)(B). *See* Fed. R. Civ. P. 24(a)(1). In addition, their motion is timely. The case is at an early stage, there is no prejudice to other parties, and any delay in filing the motion was minimal. *See United States ex rel. McGough v. Covington Techs. Co.*, 967 F.2d 1391, 1394 (9th Cir. 1992). The Court finds that the Conservation Groups may intervene as a matter of right and, accordingly, need not consider whether permissive intervention is allowed in this instance. *See* Fed. R. Civ. P. 26(b).

Accordingly, the Conservation Groups' motion to intervene (Dkt. No. 24) is GRANTED.

1 The Court DIRECTS Intervenor to file their proposed complaint within ten (10) days.

2 DATED this 17th day of May 2021.

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6 John C. Coughenour
7 UNITED STATES DISTRICT JUDGE
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